

# OVERVIEW OF THRC'S LAWS AND COMPLAINT PROCESS

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## TENNESSEE HUMAN RIGHTS COMMISSION

*The mission of the Tennessee Human Rights Commission is to safeguard individuals from discrimination through enforcement and education.*



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April 11, 2013

# TN Human Rights Act (THRA) & TN Disability Act

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TN Human Rights Act: T.C.A. § 4-21-101

TN Disability Act: T.C.A. § 8-50-103

Rules, Bylaws [www.tn.gov/humanrights](http://www.tn.gov/humanrights)

The THRA is the “substantial equivalent” of

- ❖ Title VII of the Civil Rights Act of 1964;
- ❖ Americans with Disabilities Amendments Act;
- ❖ Age Discrimination in Employment Act.

# TN Human Rights Act - employment

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**It is a discriminatory practice because of a protected class**  
(race, color, religion, creed, gender, national origin, disability, age)–

**Employment: T.C.A. § 4-21-401 et seq.:**

For an employer to fail/refuse to hire, discharge any person or to otherwise discriminate against an individual with regard to compensation, terms, or conditions of employment.

**T.C.A. § 8-50-103: TN Disability Act:** includes “disability.”

**Retaliation T.C.A. § 4-21-301:** For a person or for two (2) or more persons to: (1) Retaliate or discriminate in any manner against a person because such person has opposed a practice declared discriminatory by the THRA or because such person has made a charge, filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or hearing under the THRA.

# PROTECTED CLASSES - employment

- **Race:** all races are protected;
- **Color:** Someone's skin pigmentation being lighter or darker than someone else's;
- **Religion:** An organized system of beliefs or devotion to a religious faith or observance;
- **Creed:** related to religion: system of religious beliefs;
- **Sex/Gender:** Male or female (what is noted on the person's birth certificate);
- **National Origin:** An individual's place of birth or his/her ancestor's place of birth;
- **Age:** 40 and older;
- **Disability:** a physical or mental impairment that substantially limits one or more of an individual's major life activities. (not in public accommodations). **T.C.A. § 8-50-103: TN Disability Act.**

# Possible Remedies (not exclusive)

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## **T.C.A. § 3-21-306 & 311**

- (1) Hiring, reinstatement , back pay;
- (2) Humiliation and embarrassment;
- (3) Costs, including a reasonable attorney's fee;
- (4) Permanent or temporary injunction, or temporary restraining order;
- (5) Requiring compliance reporting;
- (6) Posting notices in conspicuous places in the employer's place of business in the form prescribed by THRC and inclusion of such notices in advertising material;
- (7) THRC may publish the names of persons who have been determined to have engaged in a discriminatory practice;
- (8) Such other remedies as shall be necessary and proper to eliminate all the discrimination identified by the evidence submitted at the hearing or in the record.

# THRC Offices

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<http://www.tn.gov/humanrights>  
[AFo4.Web.Contacts@tn.gov](mailto:AFo4.Web.Contacts@tn.gov)

## **NASHVILLE**

710 James Robertson Pkwy  
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Phone: 615-741-5825

## **KNOXVILLE**

531 Henley Street  
Room 701  
Knoxville, TN 37902  
Phone: 865-594-6500

## **CHATTANOOGA**

540 McCallie Avenue  
Fourth Floor West Wing  
Chattanooga, TN 37402  
Phone: 423-634-6837

## **MEMPHIS**

170 North Main Street  
State Office Building  
Memphis, TN 38103  
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